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10 Attorneys for Respondents
11 CITY OF CONCORD et al.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

15 CONCORD COMMUNITIES, L.P., d/b/a) Case No. C05-04094 JSW
16 Adobe Mobile Lodge and d/b/a Diablo Mobile)
Lodge; ADOBE ASSOCIATES, LLC, d/b/a)
Adobe Mobile Lodge; DIABLO)
17 ASSOCIATES, LLC, d/b/a Diablo Mobile)
Lodge,)
Petitioners,)
v.)
CITY OF CONCORD; CITY OF CONCORD)
CITY COUNCIL; and CITY OF CONCORD)
RENT REVIEW BOARD,)
Respondents,)
and)
TENANTS RESIDING AT ADOBE MOBILE)
LODGE AND DIABLO MOBILE LODGE)
Real Parties in Interest.)

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JOINT STATUS REPORT AND
REQUEST FOR DISMISSAL OF
CASE [Federal Rules of Civil
Procedure, Rule 41(a)]
AND ORDER THEREON

Pursuant to this Court's February 23, 2006 order granting Respondents' Motion to Dismiss or Abstain ("Order") and its March 2, 2009 Order Requiring Joint Status Reports, Respondents City of Concord, City of Concord City Council, and City of Concord Mobilehome Rent Review Board (collectively, "City"), along with Petitioners Concord Communities, L.C., Adobe Associates, LLP, and Diablo Associates, LLP, file this joint status report concerning this case and the related cases in state court.

PETITIONERS' POSITION AND REQUEST FOR DISMISSAL:

This case arises out of administrative proceedings conducted pursuant to the City of Concord's mobilehome rent control ordinance. As indicated in the parties' last joint status report, filed on August 14, 2008, the Petitioners have sold the two mobilehome parks that were the subject of the underlying administrative proceedings. As a result of the sale of the two mobilehome parks, the Petitioners have decided not to pursue this action or the state court administrative mandamus proceedings. Accordingly, the Petitioners request that this action be dismissed, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with each party to bear its own attorneys fees and costs.

Although the underlying state court administrative mandamus proceedings have not been served on the Respondents, the Petitioners will file a request for dismissal of those state court proceedings within the next thirty (30) days.

RESPONDENTS' POSITION AND REQUEST FOR DISMISSAL:

The Respondents join in the Petitioners' request that this action be dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with each party to bear its own attorneys fees and costs.

Dated: March 13, 2009

SHUTE, MIHALY & WEINBERGER LLP

By: _____ /s/
 ROBERT S. PERLMUTTER
 Attorneys for Respondents
 CITY OF CONCORD; CITY OF CONCORD CITY
 COUNCIL; and CITY OF CONCORD RENT
 REVIEW BOARD

1 Dated: March 13, 2009
2

LAW OFFICES OF ANTHONY C. RODRIGUEZ

3 By: _____ /s/
4 ANTHONY C. RODRIGUEZ
5 Attorneys for Petitioners
6 CONCORD COMMUNITIES, L.P., d/b/a Adobe
Mobile Lodge and d/b/a Diablo Mobile Lodge;
ADOBE ASSOCIATES, LLC, d/b/a Adobe Mobile
Lodge; DIABLO ASSOCIATES, LLC, d/b/a Diablo
Mobile Lodge
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